

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

EULALIA C. VANN,)	Case No.: 10-CV-04736-LHK
)	
Plaintiff,)	ORDER REGARDING SCHEDULE FOR
v.)	PENDING MOTIONS
)	
AURORA LOAN SERVICES LLC,)	
)	
Defendant.)	

On January 6, 2011, the Clerk entered default as to Defendant Aurora Loan Services. On January 14, 2011, Plaintiff Eulalia Vann filed a motion for default judgment, but did not notice a hearing date. On January 21, 2011, Defendant Aurora filed a motion to set aside the default, to be heard on March 24, 2011. Plaintiff has filed an opposition to Defendant's motion.

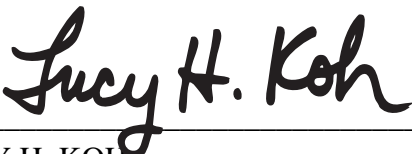
The Court finds it preferable to determine whether the default should be set aside before considering the merits of Plaintiff's motion for default judgment. Accordingly, the Court orders the following briefing and hearing schedule:

- 1) The motion to set aside the default will be heard, as scheduled, on March 24, 2011. As Plaintiff has already filed an opposition, the Court will advance the briefing schedule so that Defendant's reply is due February 24, 2011. If possible, the Court will resolve the motion without oral argument.
- 2) If the Court denies Defendant's motion, the Court will hear Plaintiff's motion for default judgment on April 21, 2011, at 1:30 p.m., in Courtroom 4, 5th Floor.

3) If the Court grants Defendant's motion, Defendant shall then notice its proposed motion to dismiss for hearing.

IT IS SO ORDERED.

Dated: February 10, 2011



LUCY H. KOH
United States District Judge

United States District Court
For the Northern District of California